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Federal Communications Commission

Office of the Secretary

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F. GRAHAM BARTLETT (1920-1982)

ALSO ADMITTED IN

VIRGINIA:

ROBERT S. MARQUIS

October 26, 1989

FEDERAL EXPRESS

The Honorable Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

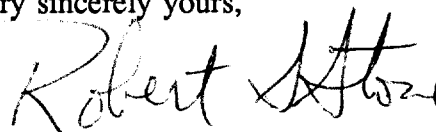
Re: BPH-870820MB, Hartford, Michigan

Dear Ms. Searcy:

We submit herewith, on behalf of our client, American Indian Broadcast Group, Inc. ("American"), an original and four (4) copies of a Petition for Leave to Amend, and accompanying Amendment to its construction permit application now on file at the Commission, for a new FM station to serve Hartford, Michigan on FM Channel 279A (103.7 MHz). Also enclosed is an additional copy of the Petition for Leave to Amend, which we would appreciate your returning to the undersigned in the enclosed, postage paid, self-addressed envelope, after the copy has been date stamped by your office.

Should you or any members of your staff have questions regarding the above, please communicate with the undersigned for clarification. Thank you for your cooperation in this matter. With kind regards, I remain

Very sincerely yours,



Robert S. Stone
Counsel to American Indian
Broadcast Group, Inc.

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FEDERAL EXPRESS

RSS/dc
Enclosures

cc: American Indian Broadcast
Group, Inc. Public File

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In Re Application of)
)
American Indian Broadcast Group, Inc.)
)
For Authority to Construct a New)
Commercial FM Station on Channel 279A)
at Hartford, Michigan)

File No. BPH-870820MB

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APR 13 1990

To: Chief, Mass Media Bureau

Federal Communications Commission
Office of the Secretary

PETITION FOR LEAVE TO AMEND

American Indian Broadcast Group, Inc. ("American"), applicant for construction permit for non-reserved FM Channel 279A at Hartford, Michigan (BPH-870820MB), by counsel, and pursuant to §§ 1.65 and 73.3522((a)(6) of the Commission's Rules and Regulations, hereby respectfully submits its Petition for Leave to Amend its above-captioned application, so as to report changes in information previously filed as part of its application. In support whereof, the following is shown:

1. The Amendment, proffered herewith, reports that American has filed an application for consent to assignment of construction permit of KFXJ(FM), Abilene, Texas and has received a construction permit for a new FM station to serve San Angelo, Texas. In that regard, it should be noted that a financial misrepresentation issue previously specified against American in the San Angelo, Texas proceeding was resolved in American's favor and that the favorable resolution of the issue has now become a "final" action of the Commission. The amendment also reports the dismissal of American's application for a new FM station to serve Lawton, Oklahoma on January 5, 1990 pursuant to its requests.

2. Information contained within the attached Amendment must be reported pursuant to § 1.65 of the Commission's Rules. Moreover, the Amendment involves no deficiency

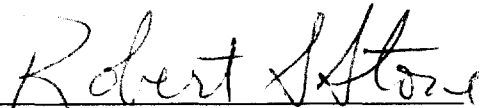
in the tenderability of American's application, and would not create any conflict with an application filed subsequent to the filing of its application in original form. "Good cause" also exists for the acceptance of the Amendment in that no comparative "upgrading" is involved, the applicant has diligently prepared and filed the Amendment, no disruption of proceedings or additional hearings would occur, and no competing applicant would be prejudiced by the information reported therein. While the proposed Amendment was, strictly speaking, required by the "voluntary" act of the applicant, it is nevertheless acceptable in that it brings the applicant into compliance with § 1.65 of the Commission's Rules, as noted above. Accordingly, the applicant has shown good cause for the acceptance of the Amendment, over and above its obligation to report significant changes. See, Erwin O'Conner Broadcasting Co., 22 FCC 2d 140, 143 (Rev. Bd. 1970).

WHEREFORE, premises considered, American Indian Broadcast Group, Inc. respectfully urges the Chief, Mass Media Bureau to grant the instant petition and accept the accompanying amendment for association with its application consistent with the above.

Respectfully submitted,

AMERICAN INDIAN BROADCAST GROUP, INC.

McC Campbell & Young, Its Attorneys

BY: 
Robert S. Stone

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(615) 637-1440

April 12, 1990

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AMENDMENT

Federal Communications Commission
Office of the Secretary

The application of American Indian Broadcast Group, Inc. ("American") for authority to construct and operate a new FM broadcast station to serve Hartford, Michigan on FM Channel 279A (File No. BPH-870820MB) is hereby amended by the following information:

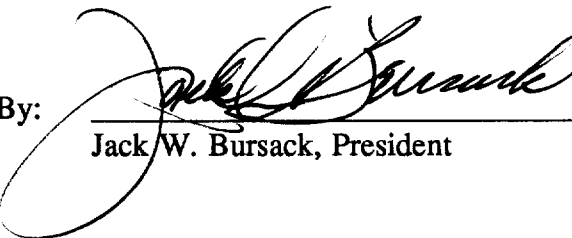
1. On January 22, 1990, an application was filed with the Commission for consent to assignment of construction permit of KFXJ, Abilene, Texas, from CVC Broadcasting Corporation to American. The application's file number is BAPH-900122HD.

2. On January 5, 1990, American's application for a new FM broadcast station to serve Lawton, Oklahoma on FM Channel 297C2 (File No. BPH-870827NG) was dismissed pursuant to its request by Order, FCC 90M-35, released January 5, 1990.

3. On November 14, 1989, American's application for a new FM broadcast station to serve the community of San Angelo, Texas on FM Channel 270C1 (File No. BPH-870921MB) was granted by Initial Decision by Administrative Law Judge Joseph Chachkin, FCC 89D-51, released November 14, 1989. The above action became final on January 5, 1990. In granting the above application, the Presiding Officer resolved a financial misrepresentation issue previously specified against American in American's favor.

DATED this 27th day of March, 1990.

AMERICAN INDIAN BROADCAST GROUP, INC.

By: 
Jack W. Bursack, President

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